

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 15 April 2003**

**CASE NOS.: 2002-LHC-2603/2654/2655/2656/2657  
2002-LHC-2658/2659/2660/2661/2662/2663**

**OWCP NOS.: 01-152898/154128/118414/140778/116359  
01-12582/155277/155278/155279/155280/155281**

In the Matter of:

**GEORGE F. FAIRHURST**  
Claimant

v.

**BATH IRON WORKS**  
Employer/Self-Insurer

**DECISION AND ORDER APPROVING SETTLEMENT**

The parties to this matter, which involves a claim for compensation under the Longshore and Harbor Workers' Compensation Act, as amended, 33 U.S.C. §901 *et seq.* (the Act), have submitted the attached Application for Approval of Agreed Settlement; Stipulation of Facts; Settlement Agreement and Addendum Letter dated March 28, 2003 (designated as Joint Exhibit 1), the terms of which are fully incorporated herein by reference.

On the basis of the totality of the record including the parties' stipulation, and considering the substantial factual, legal and medical issues which are in controversy, and in view of the uncertainties of litigation, I have concluded after considering the criteria set forth in 20 C.F.R. §702.243(f) that the proposed settlement is adequate and that it was not procured by duress.

Accordingly, I will enter the following order approving and implementing the terms of the parties' settlement:

**ORDER**

**IT IS ORDERED** that the proposed settlement be, and the same is, hereby **APPROVED** pursuant to the provisions of 33 U.S.C. §908(i)(1) and (3) as set forth below.

**IT IS FURTHER ORDERED THAT:**

- (1) the Employer, Bath Iron Works shall pay directly to the Claimant, George F. Fairhurst, the lump sum of \$85,000.00.

A

**WILLIAM J. COWAN**  
Administrative Law Judge

Boston, Massachusetts  
WJC:jal

Attachment: Joint Exhibit 1 (Application for Approval of Settlement; Stipulation of Facts; Settlement Agreement and Addendum Letter dated March 28, 2003)